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### REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### Status of Claims

Claims **1-43** are pending in the application.

Claims **1-43** have been rejected.

Claims **1-3, 5, 7-10, 12, 14-17, 19, 22, 24, 27-28, 31-32, 35-40, 42 and 43** have been amended in this submission. Applicants respectfully assert that no new matter has been added.

Claims **23 and 41** have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights to file divisional and/or continuation patent applications.

### CLAIM REJECTIONS

#### 35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected claims 1-3, 8-10, 15-17, 23, 26-28, 30, 34, 35 and 40 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As best understood, the Examiner objected to the redundancy in the claims in reciting the one or more quality indicators including any combination of the preceding. Accordingly,

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Applicants have heeded the Examiner's suggestion and amended the relevant claims for clarity to omit reference to any combination of the preceding. It should be understood that the amendment does not narrow the scope of the claims, as the claims include one or more quality indicators, which includes combinations thereof. Applicants therefore respectfully request that the rejection be withdrawn.

Claim 23 has been cancelled without prejudice for unrelated reasons.

Claim 28 has been amended to clarify that the adjuster comprises interface and control logic.

Claims 26, 30, and 34 refer to generating a quality indicator according to the transmit automatic gain control signal. The Examiner has pointed out that claims 1 and 27 recite one possible quality indicator as being a transmit AGC signal. Indeed, the scope of the present application include using a transmit AGC signal as a quality indicator itself or using the transmit AGC signal to derive a parameter to be used as a quality indicator. Applicants respectfully assert that these claims are not inconsistent or contradictory.

### **35 U.S.C. § 102 Rejections**

In the Office Action, the Examiner rejected claims 1-5, 7-12, 14-19, 21, 22 and 24-40 under 35 U.S.C. § 102(e), as being anticipated by Dino et al. (US Patent No. 6,795,411).

The Dino reference discloses a method and apparatus for changing assignment of receiver fingers. The Examiner has referred to Figs. 2 and 3; col. 4 lines 35-67. Applicants respectfully traverse the rejection based on the remarks that follow.

Dino discloses receiving multipath spread spectrum signals on an antenna and determining how to assign fingers of the RAKE receiver at the baseband frequency. The claimed methods, apparatus, logic and systems are therefore different from those disclosed by Dino. This disclosure, however, does not anticipate the pending claims, as amended.

For example, claim 1 recites a method for adjusting a signal for transmission at a mobile communication device comprising "converting a baseband transmission signal to a radio frequency (RF) signal; receiving said RF signal at an adjuster of said mobile

communication device; producing a plurality of RF transmit signals based on said RF signal; determining one or more quality indicators. . .; establishing a transmit signal adjustment according to the one or more quality indicators; separately adjusting at said transmit adjuster at least one of the plurality of RF transmit signals according to the signal adjustment to yield one or more adjusted RF transmit signals; and transmitting said adjusted RF transmit signals on a respective plurality of antennas elements.” It is respectfully submitted that this is neither anticipated nor obvious over the Dino reference. Therefore, claims 2-5, and 7, which depend from claim 1, are likewise allowable.

Dino does not anticipate or render obvious claim 8 as amended, which recites a “mobile communication device comprising: a transmit converter for converting a baseband transmit signal to a radio frequency (RF) transmit signal; a transmit adjuster operable to receive said RF transmit signal from said transmit converter and produce a plurality of RF transmit signals based on said RF signal; and control logic coupled to the transmit adjuster and operable to: determine one or more quality indicators based on a received RF signal. . .; establish a signal adjustment according to the one or more quality indicators; and adjust the plurality of signals according to the signal adjustment to yield one or more adjusted signals, wherein said transmit adjuster is to separately adjust at least one of said RF transmit signals according to the signal adjustment to yield a respective one or more adjusted RF signals; a plurality of antenna elements connected to said transmit adjuster for transmitting said plurality of RF transmit signals, respectively.” It is respectfully submitted that this is neither anticipated nor obvious over the Dino reference. Accordingly, claim 8, and claims 9-12 and 14 are allowable over the Dino reference.

Dino does not anticipate or render obvious claim 15 as amended, which recites “Logic for adjusting a signal, the logic embodied in a medium and operable to: receive an RF signal for transmission by a mobile communication device; produce a plurality of RF transmit signals based on said RF signal; determine one or more quality indicators based on a received RF signal received at said mobile communication device. . .; establish a transmit signal adjustment according to the one or more quality indicators; and separately adjust at least one of the plurality of RF transmit signals according to the signal adjustment to yield a respective one or more adjusted RF transmit signals.” It is respectfully submitted that this is neither

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anticipated nor obvious over the Dino reference. Accordingly, claim 15, and claims 16-19, and 21 are allowable over the Dino reference.

Dino does not anticipate or render obvious claim 22 as amended, which recites a “mobile communication device, comprising: means for converting a baseband transmission signal to a radio frequency (RF) transmit signal; means for producing a plurality of RF transmit signals based on said RF signal; means for determining one or more quality indicators. . .; means for establishing a transmit signal adjustment according to the one or more quality indicators; and means for separately adjusting one or more of the plurality of RF transmit signals according to the signal adjustment to yield respective one or more adjusted RF transmit signals.” It is respectfully submitted that this is neither anticipated nor obvious over the Dino reference, and the claims is therefore allowable.

Dino does not anticipate or render obvious claim 24 as amended, which recites a “method for adjusting a signal, comprising: converting a baseband transmission signal to a radio frequency (RF) signal; producing a plurality of RF transmit signals based on said RF signal; receiving said plurality of RF transmit signals at an adjuster of said mobile communication device; determining one or more quality indicators by performing at least one of: calculating at least some of the one or more quality indicators; and receiving at least some of the one or more quality indicators from an alternative source to a baseband processor; establishing a transmit signal adjustment according to the one or more quality indicators; and separately adjusting one or more of the plurality of RF transmit signals according to the signal adjustment to yield one or more adjusted RF transmit signals.” Accordingly, claim 24 is allowable over the Dino reference, as are claims 25-27, which depend therefrom.

Dino does not anticipate or render obvious claim 28 as amended, which recites a “system for adjusting a signal, comprising an adjuster, wherein said adjuster comprises: an interface operable to receive a radio frequency (RF) signal; and control logic coupled to the interface and operable to: determine one or more quality indicators by performing at least one of: calculate at least some of the one or more quality indicators; and receive at least some of the one or more quality indicators from an alternative source to a baseband processor; establish a signal adjustment according to the one or more quality indicators; produce a plurality of RF transmit signals based on said RF signal; and separately adjust one or more of

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the plurality of RF transmit signals according to the signal adjustment to yield a plurality of adjusted RF transmit signals.” Accordingly, claim 28 is allowable over the Dino reference, as are claims 28-31, which depend therefrom.

Dino does not anticipate or render obvious claim 32 as amended, which recites “Logic for adjusting a signal, the logic embodied in a medium and operable to: receive a radio frequency (RF) signal; produce a plurality of RF transmit signals based on said RF signal; determine one or more quality indicators by performing at least one of: calculating at least some of the one or more quality indicators; and receiving at least some of the one or more quality indicators from an alternative source to a baseband processor; establish a signal adjustment according to the one or more quality indicators; and separately adjust one or more of the plurality of RF transmit signals according to the signal adjustment to yield a plurality of adjusted RF transmit signals.” Accordingly, claim 32 is allowable over the Dino reference, as are claims 33-35, which depend therefrom.

Dino does not anticipate or render obvious claim 36 as amended, which recites a “mobile communication system for adjusting a signal, comprising: an antenna system comprising a plurality of antennas operable to receive and transmit a plurality of received and transmitted RF signals, respectively; one or more receive adjusters operable to: receive said plurality of RF signals received at said plurality of antennas; determine one or more quality indicators based on said plurality of received RF signals; establish a signal adjustment according to the one or more quality indicators; adjust at least some of the plurality of received RF signals according to the signal adjustment; and combine said plurality of adjusted received RF signals to yield a combined adjusted RF signal; one or more receive converters operable to convert a frequency of the combined adjusted RF signal to a baseband frequency to obtain a combined baseband receive signal; and one or more transmit converters operable to convert a frequency of a baseband transmit signal from baseband frequency to a radio frequency, thereby producing an RF signal for transmission; one or more transmit adjusters operable to: receive said RF signal for transmission; produce a plurality of RF transmit signals based on said RF signal for transmission; adjust at least one of the plurality of RF transmit signals according to the signal adjustment to produce at least one adjusted RF transmit signal; and provide said plurality of RF transmit signals to said antenna system; a baseband processor operable to receive and process the combined baseband receive signal

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and to produce said baseband transmit signal.” Accordingly, claim 36 is allowable over the Dino reference, as are claims 37-40, which depend therefrom.

### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 6, 13, 20 and 41-43 under 35 U.S.C. § 103(a), as being unpatentable over Dino et al. (US Patent No. 6,795,411) in view of Peterzell et al. (US Patent No. 6,374,116).

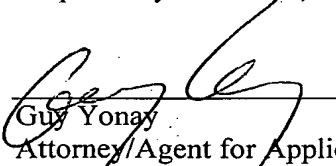
The Peterzell reference, however, does not cure the deficiencies of Dino discussed above. Accordingly, claims 6, 13, 20 and 41-43, which depend from claims allowable over the art of record, are likewise allowable.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

  
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